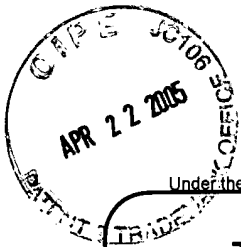


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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

09/779,798

Filing Date

February 8, 2001

First Named Inventor

Don Spyker

Art Unit

3626

Examiner Name

Gottschalk, Martin A.

Attorney Docket Number

124023-1000

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Request for Permission to Withdraw as Attorneys of Record; and
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gardere Wynne Sewell, LLP		
Signature			
Printed name	Karl L. Larson		
Date	4/22/2005	Reg. No.	41,141

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Kelli Ivey	Date	4-22-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/779,798
First Named Inventor : Don Spyker
Filing Date: : February 8, 2001
Group Art Unit : 3626
Examiner : Gottschalk, Martin A.
Confirmation No. : 6749
For: : Network Based Fitness System

Certificate of Mailing

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Kelli Ivey
(Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEYS OF RECORD

In accordance with 37 C.F.R. §1.36(b), Gardere Wynne Sewell LLP requests permission to withdraw as attorneys in the above-identified matter. Notice of intention to withdraw as attorneys herein was given to Mark J. Geiger, C.E.O. and President, BFA Network, Inc., by letter dated March 11, 2005.

The last known mailing address of the client is BFA Network, Inc., 4835 O'Connor Blvd., Suite 120, Irving, Texas 75062.

The basis for the request for withdrawal is BFA Network, Inc. satisfies the requirements of 37 C.F.R § 10.40 (c)(1)(vi). 37 C.F.R. § 10.40(c)(1)(vi) permits withdrawal if the petitioner's client:

"Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services."

It is believed that the client has been given reasonable notice of the intention to withdraw as attorneys, and it is respectfully requested that this request be granted.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

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